

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

**THE PRIORITY DOCUMENT**

It is respectfully requested that the Examiner complete item 12 of the Office Action Summary sheet to confirm that a copy of the priority document has been received.

**THE SPECIFICATION**

The abstract has been amended to make some minor improvements so as to put it in better U.S. form. In addition, the abstract has been set forth on a separate sheet, as required by the Examiner. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered, and that the objection to the specification be withdrawn.

**THE CLAIMS**

Claim 1 has been amended to even more clearly recite that in the first relative position, the outlet deflector directs outlet flow of exhaust air axially through the coinciding at least one axially directed aperture and at least one axially directed outlet opening, as well as to even more clearly recite that in

the second relative position, the outlet deflector directs the outlet flow of the exhaust air radially through the coinciding at least one radially directed aperture and at least one radially directed outlet opening.

In addition, the claims have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

It is respectfully submitted, moreover, that the amendments to the claims are not related to patentability, and do not narrow the scope of the claims either literally or under the doctrine of equivalents.

#### THE PRIOR ART REJECTION

Claims 1 and 2 were rejected under 35 USC 102 as being anticipated by USP 2,414,368 ("Dobie"), and claims 3-6 were rejected under 35 USC 103 as being obvious in view of the combination of Dobie and US RE39,009 ("Izumisawa"). These rejections, however, are respectfully traversed.

It is respectfully pointed out that in the structure recited in claim 1, the openings in the outlet piece and the apertures in

the valve element are arranged such that in a first relative position of the outlet piece and the valve element, the axial opening(s) in the outlet piece coincide fully with the axial opening(s) in the valve element, and the radial opening(s) in the outlet piece do not at all coincide with the radial aperture(s) in the valve element, such that the outlet deflector directs outlet flow of exhaust air axially through the coinciding at least one axially directed aperture and at least one axially directed outlet opening. In addition, in the structure recited in claim 1, the openings in the outlet piece and the apertures in the valve element are arranged such that in a second relative position of the outlet piece and the valve element, the radial opening(s) in the outlet piece coincide fully with the radial aperture(s) in the valve element, and the axial opening(s) in the outlet piece do not at all coincide with the axial aperture(s) in the valve element, such that the outlet deflector directs the outlet flow of the exhaust air radially through the coinciding at least one radially directed aperture and at least one radially directed outlet opening.

That is, according to claim 1, in the first relative position:

said at least one axially directed aperture of said valve element coincides fully with said at least one axially directed outlet opening of said outlet piece, and [] said at least one radially directed aperture of said valve element does not

at all coincide with said at least one radially directed outlet opening of said outlet piece, such that the outlet deflector directs outlet flow of exhaust air axially through the coinciding at least one axially directed aperture and at least one axially directed outlet opening

and in the second relative position:

said at least one radially directed aperture of said valve element coincides fully with said at least one radially directed outlet opening of said outlet piece, and [] said at least one axially directed aperture of said valve element does not at all coincide with said at least one axially directed outlet opening of said outlet piece, such that the outlet deflector directs the outlet flow of the exhaust air radially through the coinciding at least one radially directed aperture and at least one radially directed outlet opening.

The Examiner asserts that Figs. 9 and 10 of Dobie show an exhaust air outlet deflector as recited in claim 1.

Specifically, the Examiner asserts that: secondary ports 48 and 48r in the end plate 22 of Dobie correspond to the at least one radially directed outlet opening of the outlet piece of claim 1; that through-ports 52 and 52r in the end plate 22 correspond to the at least one axially directed outlet opening of the outlet piece of claim 1; that ports 46 and 46r in the reversing plate 42 of Dobie correspond to the at least one axially directed aperture of the valve element of claim 1; and that notches 54 and 54r in the reversing plate 42 of Dobie correspond to the at least one radially directed aperture of the valve element of claim 1.

It is respectfully submitted that even if the Examiner's interpretation of these ports and notches of Dobie as corresponding to apertures and outlets of a valve element and outlet piece of an outlet deflector were reasonable, Dobie still would not disclose, teach or suggest the structure recited in claim 1 and identified above.

That is, according to Dobie, in a first port arrangement (to drive the rotor 12 to rotate in a forward direction), exhaust from the motor passes through the ports 52r, 54r and 48r, and enters the passageways 56r and is discharged through exhaust openings 58r to the atmosphere. See column 3, lines 23-26, for example.

Thus, in the first port arrangement of Dobie, exhaust passes through ports 52r (an axially directed outlet opening of the outlet piece according to the Examiner), 54r (a radially directed aperture of the valve element, according to the Examiner), and 48r (a radially directed outlet opening of the outlet piece).

Moreover, in the second port arrangement of Dobie (in which rotation of the motor is reversed), exhaust passes through elements 46, 54, 48 and 56 (and then to exhaust opening element 59). See column 3, lines 34-35 of Dobie, for example. (Fig. 4a of Dobie appears to indicate that 52 should be listed instead of 46 at column 3, lines 34-35.)

Thus, in the second port arrangement of Dobie, exhaust passes through elements 46 (an axially directed aperture of the valve element, according to the Examiner) (or potentially 52, an axially directed outlet opening of the outlet piece, according to the Examiner), 54 (a radially directed aperture of the valve element, according to the Examiner), and 48 (a radially directed outlet opening of the outlet piece, according to the Examiner).

It is respectfully pointed out, therefore, that if the Examiners interpretation of elements 48, 48r, 52, 52r, 46, 46r and 54, 54r of Dobie were assumed to be correct, Dobie would disclose a first position requiring a coinciding: axially directed outlet opening of the outlet piece (52r), radially directed aperture of the valve element (54r) and radially directed opening of the outlet piece (48r) through which air exhaust flows. In addition, if the Examiners interpretation of elements 48, 48r, 52, 52r, 46, 46r and 54, 54r of Dobie were assumed to be correct, Dobie would disclose a second position requiring a coinciding: axially directed aperture of the valve element (46) (or potentially 52, an axially directed outlet opening of the outlet piece, according to the Examiner), radially directed aperture of the valve element (54) and radially directed outlet opening of the outlet piece (48).

In other words, in both the forward position and the reverse position disclosed by Dobie, the elements identified by the

Examiner as axially directed openings in the outlet piece and apertures in the valve element do not coincide to exhaust air. By contrast, in each of the two positions disclosed by Dobie, elements identified by the Examiner as radially directed coinciding openings in the outlet piece and apertures in the valve element are required to coincide to direct air to the exhaust openings 58 or 58r.

Accordingly, it is respectfully submitted that even if the Examiner's interpretation of 48, 48r, 52, 52r, 46, 46r and 54, 54r of Dobie were assumed to be correct, Dobie still would not disclose, teach or suggest an adjustable exhaust air outlet deflector having the structure recited in claim 1, whereby, in particular, the outlet piece and the valve element are rotatable relative to each other to achieve a first relative position at which said at least one axially directed aperture of said valve element coincides fully with said at least one axially directed outlet opening of said outlet piece, and at which said at least one radially directed aperture of said valve element does not at all coincide with said at least one radially directed outlet opening of said outlet piece, such that the outlet deflector directs outlet flow of exhaust air axially through the coinciding at least one axially directed aperture and at least one axially directed outlet opening.

Indeed, if, as appears to be the case based on Figs. 4 and 4a of Dobie (the structure of Fig. 4a of Dobie appears to contradict the disclosure at column 3, line 35 thereof), ports 46 and 46r of Dobie (axially directed apertures in a valve element, according to the Examiner) do not take part in exhausting air at all. In any event, whichever of Fig. 4a or column 3, line 35 of Dobie is assumed to be correct, it is respectfully submitted that Dobie, even as interpreted by the Examiner, does not achieve or render obvious the structure recited in independent claim 1.

It is respectfully submitted, moreover, that according to Dobie, the exhaust openings 58 and 58r exhaust air to the atmosphere, and openings, 48, 48r, 52, 52r of Dobie are merely secondary and through-ports which do not fulfil the function of an outlet opening communicating with the atmosphere. It is respectfully submitted that the reversing valve of Dobie merely has exhaust openings 58 and 58r which are both radially arranged at the housing 10 (column 3, lines 25-27 and Fig. 5). The valve of Dobie can merely discharge outlet air through the outlet openings 58 or 58r depending on the chosen direction of rotation for the pneumatic motor 12. Therefore, it is respectfully submitted that Dobie does not disclose, teach or suggest an arrangement that enables deflecting exhaust air in either a radial or axial direction in the manner recited in amended independent claim 1.



Still further, it is respectfully submitted that Izumisawa merely discloses an arrangement which enables deflecting exhaust air in a radial direction over a 360° span. And it is respectfully submitted that, like Dobie, Izumisawa lacks the capability of choosing between an axial or radial direction.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claim 1 and claims 2-6 depending therefrom clearly patentably distinguish over Dobie and Izumisawa, taken singly or in combination, under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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